

DETAILED ACTION

CONTINUED EXAMINATION UNDER 37 CFR 1.114 AFTER FINAL REJECTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/15/08 has been entered.

ACKNOWLEDGMENT OF AMENDMENT, REMARKS AND THE STATUS OF THE CLAIMS

2. The amendment and remarks filed 09/15/08 are acknowledged, entered and considered. Claims 7, 14 and 16-20 have been amended and claims 1, 2, 4-6 and 13 have been canceled. Claims 7, 14 and 16-20 are now pending in the application. The rejections under 35 U.S.C. 112, first paragraph and 35 U.S.C. 103(a) over the prior art of record are withdrawn in view of Applicant's amendment and remarks filed 09/15/08.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with Jay F. Williams on 11/05/08.

5. The application has been amended as follows:

Replace the claims as follows.

Claim 7 (Currently amended) A method for increasing lipolysis in adipocytes, comprising administering to a subject an effective amount of a composition, said composition comprising, in an acceptable medium, as an active ingredient, at least a peptide of formula (I):

(AA) n-Arg-Gly-Ser-(AA) ~~n~~ m (I),

Wherein (AA) is ~~an unspecified~~ any amino acid, n ~~is an integer~~ and m are integers ranging between 0 and 3, and said peptide has a protective group in the form of an amidation of the carboxy-terminal end.

Claim 14 (Currently amended) The method according claim 7, wherein the peptide of formula (I) ~~has the sequence~~ is Arg-Gly-Ser.

Claim 18 (Currently amended) The method according to claim 7, wherein the peptide of formula (I) is solubilized in one or more cosmetically or pharmaceutically acceptable solvents selected from the group consisting of water, ethanol, propanol, isopropanol, propylene glycol, butylene glycol, dipropylene glycol, ethoxylated diglycol, propoxylated diglycol, cyclic polyol, petroleum jelly, liposomes, and a vegetable oil ~~and any mixture thereof~~.

CONCLUSION AND FUTURE CORRESPONDANCE

6. Claims 7, 14 and 16-20 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdel A. Mohamed whose telephone number is (571) 272-0955. The examiner can normally be reached on First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on (571) 272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohamed/A. A. M./
Examiner, Art Unit 1654

/JON P WEBER/
Supervisory Patent Examiner, Art Unit 1657